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Letter dated 5 February 2004 from the Secretary-General addressed to the President of the Security Council

Pursuant to Security Council resolution 1244 (1999), I have the honour to convey the attached report on the international security presence in Kosovo covering the period from 1 to 31 December 2003 (see annex).

I should be grateful if you would arrange to bring this report to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

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Annex

Monthly report to the United Nations on Kosovo Force operations

1. Over the reporting period (1 to 31 December 2003) there were 19,168 Kosovo Force (KFOR) troops in theatre.

Security

2. While the number of criminal acts, including murders, kidnapping, rapes and assaults, decreased in December 2003, political and inter-ethnic tensions remained high in Kosovo.

3. On 6 December, in front of the Mitrovica North Hospital, a convoy of vehicles escorting Provisional Institutions of Self-Government Prime Minister Rexhepi was attacked by Kosovo Serbs using stones and Molotov cocktails. Prime Minister Rexhepi had been attending talks between international banking institutions and Kosovo Serbian farmers. Two vehicles (one from the Kosovo Police Service and one from the United Nations Interim Administration Mission in Kosovo (UNMIK) caught fire and an UNMIK bus was seriously damaged. UNMIK police intervened by cordoning off the area. Following this incident, around 200 Kosovo Serbs began to gather at different points in Mitrovica and UNMIK police requested KFOR assistance should they be required to intervene. By the middle of the afternoon, all persons had dispersed and the situation was calm again.

4. On 22 December, former ethnic Albanian rebel commander Xhemail Hyseni, who was tried in absentia and sentenced to seven years imprisonment for two bomb attacks in the former Yugoslav Republic of Macedonia,[1] surrendered to KFOR and was transported to Camp Bondsteel. On 28 December, KFOR handed Hyseni over to UNMIK custody, where he will remain while UNMIK and the authorities of the former Yugoslav Republic of Macedonia agree upon extradition formalities.

5. On 20 December, a grenade was found attached to the underside of an UNMIK vehicle used by the border police. KFOR Explosive Ordnance Disposal (EOD) disposed of the grenade.

6. On 10 December, in Kosovo, the Special Representative of the Secretary-General, Mr. Holkeri, officially unveiled his standards for Kosovo plan. This initial document will be followed by a formal plan to be published in early 2004, covering the implementation of the standards. The document is a significant milestone in further achieving the eight standards that will have to be reached before any discussion can start on Kosovo's status. The standards are:

- Functioning democratic institutions
- Rule of law
- Freedom of movement
- Return of refugees/displaced persons
- Sustainable competitive market economy
- Property rights

[1] Turkey recognizes the former Yugoslav Republic of Macedonia under its constitutional name.

- Dialogue with Belgrade
- Kosovo Protection Corps

7. Even before the formal announcement by the Special Representative of the Secretary-General, the Serb Government had rejected the plan and the day following the announcement, the Kosovo Assembly, which had praised his declaration as a step towards eventual independence, repealed all legislation passed by the Serbian Parliament since March 1989, stating that it hindered privatization. This decision was overturned that afternoon by Mr. Holkeri. The difficulties lying ahead for the Special Representative of the Secretary-General in implementing his plan are considerable. Coincidental with the announcement, a group of 11 Kosovo Serbs trying to return to their homes in Klina were turned back by 250 stone-throwing Kosovo Albanian protesters. The free and unhindered return of displaced persons is one of the eight standards announced by the Special Representative of the Secretary-General.

Attacks against the Kosovo Force and Kosovo Force operational activities

8. There were no acts of violence or aggressive behaviour reported against KFOR personnel during the month of December.

Cooperation and compliance by the parties

9. The armed forces of Serbia and Montenegro and the Ministry of Internal Affairs Special Police (MUP) remained in compliance with the terms and conditions of the Military Technical Agreement.

The Kosovo Protection Corps

10. On 11 December, the Special Representative of the Secretary-General, Mr. Holkeri, made his long-awaited announcement to the Commander of the Kosovo Protection Corps, Lt. Gen. Agim Ceku, that 12 members of the Corps were to be suspended immediately. The 12 officers had been accused of collaboration with radical organizations and organized crime. All 12 have been suspended with pay, but will not be permitted to function as members of the Corps. All their rights and privileges, other than remuneration, have been withdrawn. Furthermore, the Special Representative of the Secretary-General has directed the police to initiate criminal investigations against all 12 officers.

11. During December, 31 roll calls were made at KPC units. The results continue to show a low rate of absenteeism without permission, that is, out of the 1,271 persons involved in the musters, 16 were absent without permission (this represents 1.2 per cent). The results also show that the number of individuals on leave is at an acceptable level of 13 per cent (the minimum required presence at any one time is set at 75 per cent).

12. It was reported in December that international donor support for funding a programme by the International Organization for Migration (IOM) for KPC training and projects would end in April 2004. As at the end of December 2003, no new donors had been forthcoming.

Outlook

13. Stability in Kosovo remains fragile. The standards for Kosovo plan presented by the Special Representative of the Secretary-General, part of the larger "review date" strategy for Kosovo endorsed by the Security Council, is an important step, but only the beginning of a longer process. Initial reactions are indicative of the challenges ahead. Provisional Institutions of Self-Government institutions continue to be rudimentary and highly politicized and the most robust part of Kosovo's economy is its illegal side. While overall levels of crime diminished in December, ethnic-related crime and intimidation remain high. December demonstrated that funding, employment and oversight of the KPC continue to be significant issues. Despite these issues, KFOR will remain vigilant in maintaining a safe and secure environment in Kosovo.